

AGENDA
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
AUGUST 11, 2015

After determining that a quorum is present, the Planning and Zoning Commission of the City of The Colony, Texas will convene into regular session which will be held on Tuesday, August 11, 2015 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items will be addressed:

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| 1.0 | CALL REGULAR SESSION TO ORDER |
| 1.1 | Citizen Input |

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| 2.0 | CONSENT AGENDA |
| 2.1 | Consider approval of the minutes of the July 28, 2015 Regular Session. |
| 2.2 | <i>FP15-0014 Northeast Corner of Windhaven and Plano Parkway Final Plat</i> Consider approval of a Final Plat for Lots 1, and 10X, Block A, Northeast Corner of Plano Parkway and Windhaven Parkway, being 1.2809 acres out of David Andrews Survey, Abstract No. 18, an addition to the City of The Colony, Denton County, Texas, located at Northeast Corner of Plano Parkway and Windhaven Parkway, in Planned Development 22 (PD-22) zoning District. |
| 2.3 | <i>RP15-0006 Hard Eight BBQ Replat</i> Discuss and consider approval of a replat for Lots 1R and 3, Block B, Grandscape Addition, Phase II, being a replat of Lot 1, Block B Grandscape Addition, 3.692 acres of land recorded in County Clerk's Inst. No. 2015-240, official public records of Denton County an addition to the City of The Colony, Denton County, Texas, located near the southwest corner of Plano Parkway and SH 121, in Planned Development 25 (PD-25) zoning district. |

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| 3.0 | PUBLIC HEARING ITEMS |
| 3.1 | <i>PDA15-0002 PD-24 Text Amendment for Dog Park</i> Conduct a public hearing, discuss and consider making a recommendation to City Council on a request for Planned Development 24 (PD-24) amendment to allow dog park as a use located at 1 Harris Plaza. |

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| 4.0 | DISCUSSION ITEMS |
| 4.1 | <i>SP15-0017 Grandscape Retail Shops Development Plan</i> Discuss and consider making a recommendation to City Council on a request for Development Plan for Grandscape Retail Shops, two retail/restaurant buildings, located at the northwest corner of Bargain Way and Plano Parkway in the Planned Development 25 (PD-25) zoning district. |

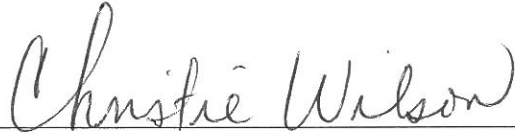
"Pursuant to the Texas Open Meetings Act, Government Code Chapter 551, one or more of the above items may be considered in executive session closed to the public. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session".

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact Christie Wilson, City Secretary, at 972-624-3106 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 p.m. on the 7th day of August 2015.




Christie Wilson, City Secretary

**MINUTES
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
JULY 28, 2015**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, July 28, 2015 at 6:35 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Detrick DeBurr, Vice Chairman, Brian Buffington, Shawn Rockenbaugh, Cesar Molina Jr., Janece Pool, and Shannon Hebb.

Board Members Absent: Karen Hames, Chairman

Staff Present: Mike Joyce, AICP, Planning Director, Gordon Scruggs, Engineering and Development Services Director, and Brian McNulty, Technical Assistant.

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| 1.0 | CALL REGULAR SESSION TO ORDER |
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Vice-Chairman DeBurr called the meeting to order at 6:35 p.m.

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| 1.1 | CITIZEN INPUT |
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No citizens came forward during Citizen Input.

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| 2.0 | CONSENT AGENDA |
| 2.1 | Consider approval of the minutes of the July 14, 2015 Regular Session. |
| 2.2 | <i>FP15-0009 Lot 6, Block A, Colony Center Addition Final Plat</i> Consider approval of a Final Plat for Lot 6, Block A, Colony Center Addition, being 1.9621 acres out of the B.B.B. & C.R.R. Survey, Abstract No. 174, an addition to the City of The Colony, Denton County, Texas, located on the southwest corner of Memorial Drive and S Colony Boulevard, in Planned Development 16 (PD-16) zoning district. |
| 2.3 | <i>RP15-0003 Boathouse Retail Replat</i> Consider approval of a Final Plat for Lot 6R, Block C, Parks of Austin Ranch Addition, a Replat of Lot 6, Block C, Parks of Austin Ranch Addition, being 3.679 acres out of David Andrews Survey, Abstract No. 18, an addition to the City of The Colony, Denton County, Texas, located on the southwest corner of Windhaven and Plano Parkway, in Planned Development 22 (PD-22) zoning district. |
| 2.4 | <i>RP15-0004 Parkway Parcels Replat</i> Discuss and consider approval of a replat for Lots 4R and 5, Block A, Parkway Parcels Addition, being a replat of Lot 4, Block A Parkway Parcels Addition, 1.873 acres of land recorded in County Clerk's Inst. No. 2015-97, official public records of Denton County an addition to the City of The Colony, Denton County, Texas, located near the southwest corner of Plano Parkway and SH 121, in Planned Development 25 (PD-25) zoning district. |

Vice-Chairman DeBurr read the Consent Agenda item into the record. Commissioner Molina stated certain changes to the July 14, 2015 minutes which were duly noted.

Commissioner Molina moved to approve Item 2.1 with corrections, 2.2, 2.3 and 2.4, Commissioner Pool seconded the motion. Motion carried (6-0).

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| 3.0 | PUBLIC HEARING ITEMS |
| 3.1 | <i>SUP15-0008, Colony Center Specific Use Permit</i> Conduct a public hearing, discuss and consider making a recommendation to the City Council on a request for a Specific Use Permit (SUP) to allow the use of an alternate exterior material for the Colony Center, a retail center located at the Northwest Corner of SH 121 and South Colony Boulevard within the PD-16 zoning district. |

Vice-Chairman DeBurr read Public Hearing Item 3.1 into the record.

Mr. Joyce presented the staff report.

Commissioner Buffington enquired why the percentage of masonry is so low.

Vice-Chairman DeBurr opened the public hearing at 6:45 p.m.

Applicant Mr. Gerald Luecke approached the Commission and stated that the front and side elevation will actually have more than 30% masonry. The back side not visible to public will have textured concrete tilt wall construction. The right side will actually be future expansion so that wall will not remain visible in future once adjacent building is added to the Floor and Décor building.

No one else spoke during the public hearing so Vice-Chairman DeBurr closed the public hearing at 6:46 p.m.

Commissioner Molina asked if the applicant knew what the masonry vs. EIFS percentage will be if one eliminates the side facing future expansion of the building.

Mr. Luecke stated that it would definitely be around 25% masonry.

There being no further discussion Vice-Chairman DeBurr called for called for a motion from the Commission.

Commissioner Molina moved to approve Item 3.1, Commissioner Hebb seconded the motion. Motion carried (6-0).

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| 4.0 | DISCUSSION ITEMS |
| 4.1 | <i>SP15-0010, Colony Center Development Plan</i> Discuss and consider making a recommendation to the City Council on a request for a Development Plan for the Colony Center Addition, a retail center located at the Northwest Corner of SH 121 and South Colony Boulevard within the PD-16 zoning district. |

Vice-Chairman DeBurr read Discussion Item 4.1 into the record.

Mr. Joyce presented the staff report.

Commissioner Hebb enquired if a traffic study has been done and if a signal is warranted at S Colony.

Mr. Scruggs responded that a traffic signal is being installed at South Colony and was warranted for this development and the development to the east, Village at 121.

Commissioner Hebb asked if there will be additional fire hydrants needed as the portion is shown as future retail.

Mr. Joyce responded that Carl Mcmurphy, Fire Marshall has reviewed the plans and he usually does not ask for fire hydrant until such time that the future phase is ready for development as he will not know the FDC connections etc.

Commissioner Hebb asked the driveway towards the west should it be extended to Memorial Drive in future as there are property on the north side of this site undeveloped.

Mr. Scruggs responded that the driveway is a shared access drive that will be a mutual driveway between the two adjacent properties and in future will be extended to Memorial Drive.

There being no further discussion Vice-Chairman DeBurr called for called for a motion from the Commission.

Commissioner Hebb moved to approve Item 4.1, Commissioner Buffington seconded the motion. Motion carried (6-0).

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| 4.2 | <i>SP15-0011 Service King Site Plan</i> Discuss and consider making a recommendation to City Council on a request for Site Plan for Service King, an automobile body shop, located on Memorial Drive, west of Budget Suites, north of existing the Firestone Tire and Vehicle Service Center located in the Business Park (BP) zoning district. |
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Vice-Chairman DeBurr read Discussion Item 4.2 into the record.

Mr. Joyce presented the staff report.

Commissioner Hebb enquired if the 10 foot bike path is consistent with The Colony Master Trail Plan.

Mr. Joyce stated that the Parks Department has reviewed the plans and it is consistent with The Colony Trail Plan.

Commissioner Hebb mentioned that no elevation has been provided so are they going to follow the standard Service King elevation?

Mr. Joyce mentioned that the applicant will come back with a SUP application for the exterior material.

Commissioner Hebb asked if there is going to be a dedicated right turn lane into the property from Memorial Drive.

Mr. Scruggs responded that the right turn lane wasn't warranted through the traffic study neither at this location or the location for the hotel further west.

Applicant Matt Moore approached the Commission and clarified that the screening wall surrounding the property will be 6 feet tall and not 8 feet.

Commissioner Buffington enquired about the masonry material for the screening wall.

Mr. Moore stated that the material has not been finalized yet; it will be some form of masonry product.

There being no further discussion Vice-Chairman DeBurr called for called for a motion from the Commission.

Commissioner Hebb moved to approve Item 4.2, Commissioner Rockenbaugh seconded the motion. Motion carried (6-0).

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| 4.3 | <i>SP15-0013 Modern Round Site Plan</i> Discuss and consider making a recommendation to City Council on a request for Site Plan for Modern Round, an indoor entertainment facility that will house a restaurant and an indoor virtual shooting gallery, located between Memorial Drive and SH 121, west of Firestone, East of Top Golf located in the Business Park (BP) zoning district. |
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Vice-Chairman DeBurr read Discussion Item 4.3 into the record.

Mr. Joyce presented the staff report.

Commissioner Hebb asked for clarification if this is going to be a shooting range.

Mr. Joyce answered that Modern Round will be a virtual shooting gallery and not an actual gun range.

Applicant Matt Moore added that it will be a simulated environment, probably with laser where you shoot at moving targets but no real gun fire like an actual shooting range.

Commissioner Buffington asked if the front elevation is the side facing SH 121.

Mr. Joyce answered affirmative.

Commissioner Molina added that due to other buildings that will be built in front on SH 121, this elevation will not be visible to certain extent.

Commissioner Buffington asked if any signage has been proposed on SH 121 for his site.

Mr. Joyce answered there probably will be a multi-tenant pylon sign for this complex but the owner has not submitted any plans for signage as yet.

Commissioner Hebb asked if there will be an age restriction for this place or anyone can come in even 12 year olds to play at the virtual shooting gallery.

Applicant Matt Moore could not confirm if there will be an age restriction or not.

Commissioner Rockenbaugh asked about storm drain inlets towards the north side of this property.

Mr. Moore explained how the site drains towards the culvert next to Top Golf and the channel at north east under memorial. He also stated that all off-site easements for the infrastructure are being coordinated via two plats, the Modern Round – Hyatt Plat and the Service King Plat.

There being no further discussion Vice-Chairman DeBurr called for called for a motion from the Commission.

Commissioner Hebb moved to approve Item 4.3, Commissioner Molina seconded the motion. Motion carried (6-0).

There being no further business to come before the Commission, Vice-Chairman DeBurr adjourned the Regular Session of the Planning and Zoning Commission at 7: 17 p.m.

Detrick DeBurr, Vice Chairman

J. Michael Joyce, AICP Planning Director

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: August 11, 2015

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP Senior Planner, 972-624-3164

SUBJECT: *FP15-0014 Northeast Corner of Windhaven and Plano Parkway Final Plat*

Consider approval of a Final Plat for Lots 1, and 10X, Block A, Northeast Corner of Plano Parkway and Windhaven Parkway, being 1.2809 acres out of David Andrews Survey, Abstract No. 18, an addition to the City of The Colony, Denton County, Texas, located at Northeast Corner of Plano Parkway and Windhaven Parkway, in Planned Development 22 (PD 22) zoning District.

APPLICANT

| | | |
|--------------------|---------------------|---------------|
| Owner/Developer: | Billingsley Company | Dallas, Texas |
| Engineer/Surveyor: | CEI Engineering | Dallas, Texas |

EXISTING CONDITION OF PROPERTY

The subject property is currently undeveloped.

PROPOSED DEVELOPMENT

The applicant is proposing a 7-Eleven convenience store on this site

ADJACENT ZONING

North - Planned Development 22 (PD-22) – Austin Ranch, vacant land
South - Planned Development 22 (PD-22) – Austin Ranch, vacant land across Windhaven Parkway
East- Planned Development 22 (PD-22) – Austin Ranch, vacant land
West- Planned Development 22 (PD-22) – Austin Ranch, vacant land across Plano Parkway

PLAT DETAILS

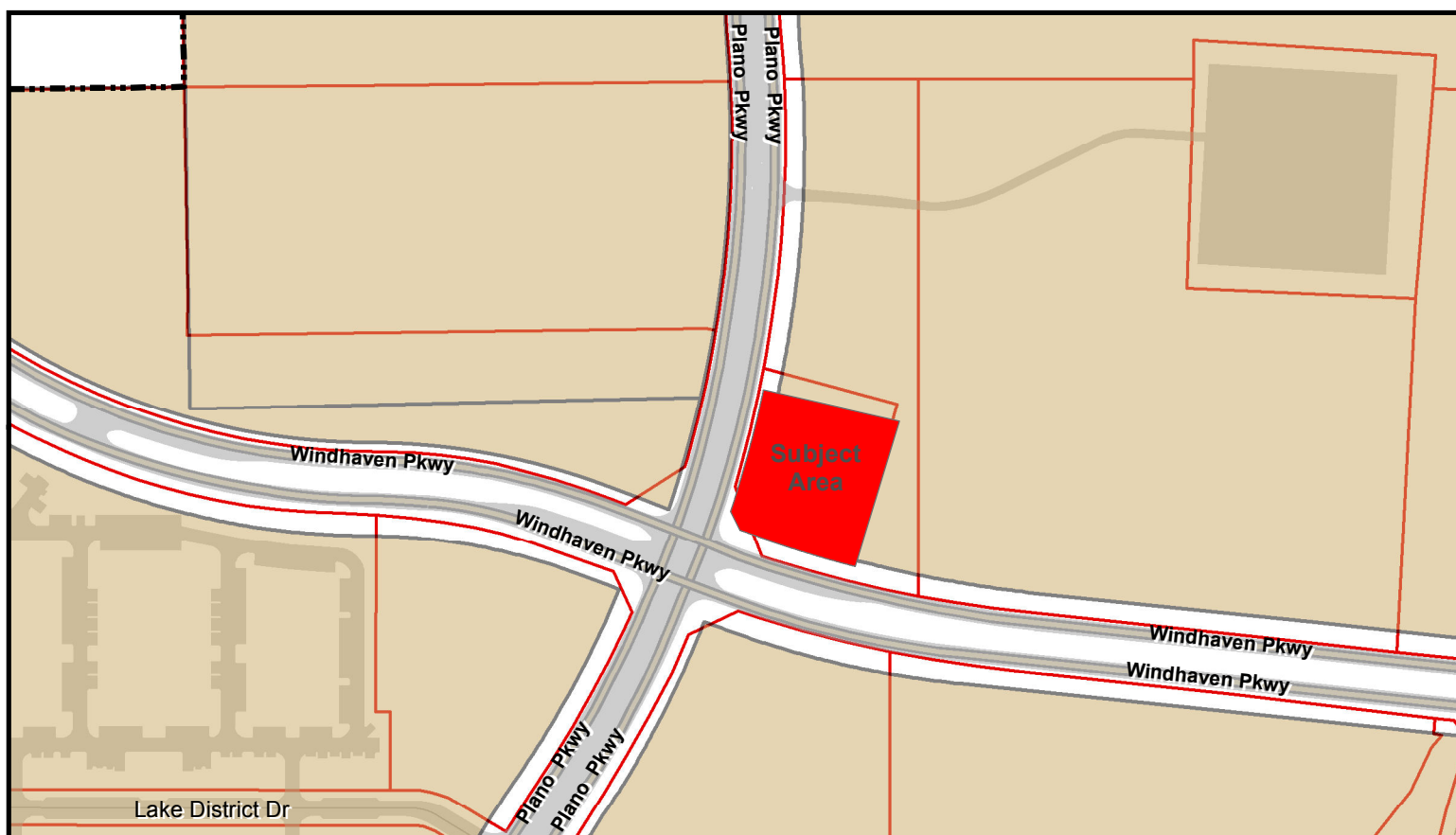
The subject property is located at the northeast corner of Windhaven Parkway and Plano Parkway. The 1.2809-acre tract is being subdivided into two (2) lots. The plat meets the Subdivision Ordinance and other applicable ordinance requirements.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the Final Plat.

ATTACHMENTS

1. Location Map
2. Proposed Final Plat

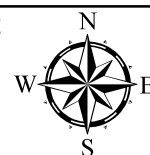


Project No. FP15-0014 - Project Name: NEC of Windhaven & Plano PKWY Final Plat



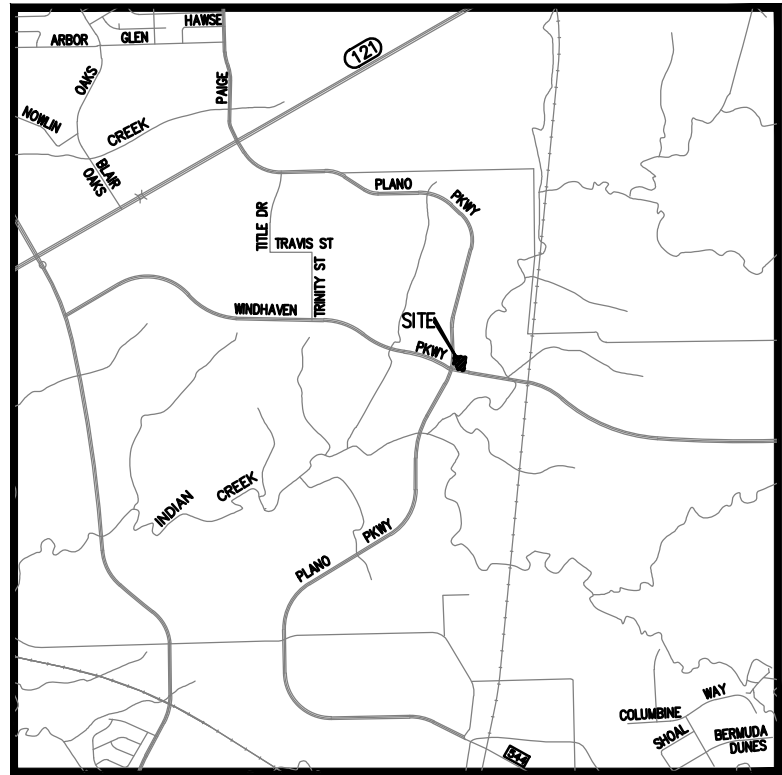
| | | | | |
|--|--|--|--|--|
| ■ NEC of Windhaven & Plano PKWY | ■ Business Park/Industrial | ■ Heavy Commercial | ■ Mobile Home | ■ Planned Development |
| ■ Agricultural | ■ Duplex Dwelling | ■ Industrial | ■ Neighborhood Service | ■ Shopping Center |
| ■ Business Park | ■ General Retail | ■ Light Commercial | ■ Office District 1 | ■ Single Family Dwelling |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.

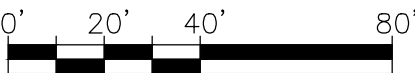
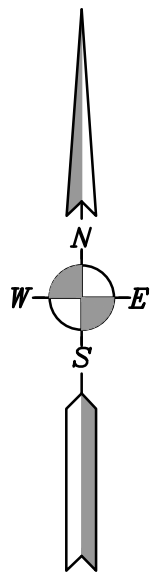


| CURVE | DELTA | ARC LENGTH | RADIUS | CH BRG | CH |
|-------|-----------|------------|--------|-------------|--------|
| C1 | 83°02'22" | 28.99' | 20.00' | S24°11'28"E | 26.52' |
| C2 | 89°36'03" | 29.88' | 20.00' | S60°07'47"W | 27.18' |
| C3 | 90°00'00" | 45.55' | 29.00' | N27°40'15"W | 41.01' |
| C4 | 89°58'22" | 31.41' | 20.00' | S27°41'04"E | 28.28' |
| C5 | 90°00'13" | 31.42' | 20.00' | S27°40'09"E | 28.29' |
| C6 | 90°00'13" | 69.12' | 44.00' | N27°40'09"W | 62.23' |
| C7 | 12°05'05" | 10.55' | 50.00' | S23°22'31"W | 10.53' |
| C8 | 64°05'59" | 11.19' | 10.00' | S14°43'15"E | 10.61' |
| C9 | 12°24'56" | 10.83' | 50.00' | N23°12'35"E | 10.81' |
| C10 | 66°01'32" | 23.05' | 20.00' | N50°20'31"E | 21.79' |
| C11 | 39°28'57" | 20.67' | 30.00' | N51°20'18"W | 20.27' |
| C12 | 20°56'27" | 32.46' | 88.82' | N03°18'53"E | 32.28' |

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | S72°40'15"E | 57.60' |
| L2 | N17°19'45"E | 15.00' |
| L3 | N12°55'48"E | 12.29' |
| L4 | N77°04'12"W | 15.00' |
| L5 | S12°55'48"W | 22.29' |
| L6 | S72°40'15"E | 21.13' |
| L7 | S17°19'45"W | 15.00' |
| L8 | N72°40'15"W | 20.11' |
| L9 | S12°02'27"W | 10.18' |
| L10 | S76°54'25"E | 10.00' |
| L11 | N07°09'20"W | 17.45' |
| L12 | N31°35'50"W | 14.89' |
| L13 | S72°40'15"E | 58.97' |
| L14 | S17°20'04"W | 7.08' |
| L15 | S17°03'01"W | 23.65' |
| L16 | S17°00'07"W | 32.65' |
| L17 | N29°25'03"E | 27.80' |
| L18 | S17°20'04"W | 15.30' |



LOCATION MAP



NOTES

- SELLING OFF A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION, WITHOUT A REPLAT BEING APPROVED BY THE CITY OF THE COLONY, IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP TITLED "DENTON COUNTY, TEXAS AND INCORPORATED AREAS" MAP NUMBER 48121C0580G, DATED APRIL 18, 2011, THE SUBJECT PROPERTY IS WITHIN A ZONE "X" (UNSHADED) WHICH IS DEFINED ON THAT MAP AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."
- THE COORDINATES HEREON ARE GRID COORDINATES AND WERE DERIVED FROM REDUNDANT RTK GPS OBSERVATIONS AND ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NAD 83 GEOID 12A.. GRID COORDINATES AND MAY BE CONVERTED TO SURFACE BY APPLYING A COMBINED SCALE FACTOR OF 0.99984959203.

CERTIFICATE OF APPROVAL

On the ____ day of _____, 2015, this plat was duly approved by the Planning & Zoning Commission of the City of The Colony, Texas.

Chairman of the Planning & Zoning Commission

City Secretary

SURVEYOR'S CERTIFICATE

Know All Men By These Presents:

That I, Thomas C. Holland, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of The Colony, Texas.

Dated this the ____ day of _____, 2015.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Thomas C. Holland
Texas Registration No2036.

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Thomas C. Holland, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2015.

Notary Public in and for the State of Texas

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, TOWN CENTER OF AUSTIN RANCH, NO. 1 INC., PBC 14 AR LAND, LTD., CB PARKWAY BUSINESS CENTER XIV, LTD., UNIVERSITY BUSINESS PARK PHASE 1, LTD., UB VENTURES, LTD., are the owners of the following described property:
A tract or parcel of land situated in the David Andrews Survey, Abstract No. 18, in the City of The Colony, Denton County, Texas, and being part of the called 503.5248 acres tract described in the deed to CROW-BILLINGSLEY #7, INC. and TRAMMELL CROW COMPANY NO. 33 recorded in Volume 1652 Page 316 in the Denton County Deed Records (DCDR), and being more particularly described as follows:

BEGINNING at a found 5/8 inch iron rod with a Baseline Corp cap at the most northerly corner of the diagonal corner clip at the intersection of the east right-of-way line of Plano Parkway (100' wide right-of-way) and the north right-of-way line of Windhaven Parkway (typical 120' wide right-of-way, 132' wide at intersection widening);

THENCE Northerly an arc distance of 210.82 feet along the east line of Plano Parkway and along a curve to the left having a radius of 2050.00 feet, a central angle of 05°53'32", and the chord bears North 15°08'10" East 210.73 feet to a found "X" cut in concrete;

THENCE South 77°04'12" East 232.38 feet departing the east line of Plano Parkway to a found 5/8 inch iron rod with Baseline Corp cap;

THENCE South 16°53'07" West 254.99 feet to a found 5/8 inch iron rod with Baseline Corp cap on the north line of Windhaven Parkway;

THENCE Westerly along the north line of Windhaven Parkway an arc distance of 201.20 feet along a non-tangent curve to the right having a radius of 2089.34 feet, a central angle of 05°31'03", and the chord bears North 72°36'31" West 201.13 feet to a found 5/8 inch iron rod with Baseline Corp cap;

THENCE North 25°33'13" West 35.98 feet along said corner clip to the **POINT OF BEGINNING** and Containing 55,796 square feet or 1.2809 acres of land more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT TOWN CENTER OF AUSTIN RANCH, NO. 1 INC., PBC 14 AR LAND, LTD., CB PARKWAY BUSINESS CENTER XIV, LTD., UNIVERSITY BUSINESS PARK PHASE 1, LTD., UB VENTURES, LTD., through their undersigned authority, does hereby adopt this plat designating the hereinabove described property as "NORTHEAST CORNER PLANO PARKWAY AND WINDHAVEN PARKWAY", an addition to the City of The Colony, Texas, and does hereby dedicate in fee simple to the public use forever, the streets and alleys shown hereon; and does hereby dedicate the easements shown on the plat for mutual use and accommodation of all public utilities desiring to use, or using same, said dedications being free and clear of all liens and encumbrances, except as shown herein. TOWN CENTER OF AUSTIN RANCH, NO. 1 INC., PBC 14 AR LAND, LTD., CB PARKWAY BUSINESS CENTER XIV, LTD., UNIVERSITY BUSINESS PARK PHASE 1, LTD., UB VENTURES, LTD., does hereby bind itself, its successors and assigns to forever warrant and defend all and singular the above described streets, alleys, easements and right unto the public against every person whomsoever lawfully claiming or to claim the same or any part thereof. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements on said plat. Any public utility shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of it respective system on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its perspective system without the necessity at any time of procuring the permission of anyone.

To the best of my knowledge there are no liens on this property.

WITNESS MY HAND this ____ day of _____, 2015

TOWN CENTER OF AUSTIN RANCH, INC.,
a Texas corporation

By: _____
Kenneth D. Mabry, Senior Vice President

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Kenneth D. Mabry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2015.

Notary Public in and for the State of Texas

PBC 14 AR LAND, LTD.,
a Texas limited partnership

By: _____
PBC 14 AR Land GP, LLC,
a Texas limited liability company,
its general partner

By: _____
Kenneth D. Mabry, Senior Vice President

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Kenneth D. Mabry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2015.

Notary Public in and for the State of Texas

CB PARKWAY CENTER XIV, LTD.,
a Texas limited partnership

By: _____
27BCO, INC.,
a Texas corporation,
its general partner

By: _____
Kenneth D. Mabry, Senior Vice President

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Kenneth D. Mabry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2015.

Notary Public in and for the State of Texas

UNIVERSITY BUSINESS PARK PHASE 1, LTD.,
a Texas limited partnership

By: _____
Trammell Crow Company No. 33, Ltd.,
a Texas limited partnership,
its general partner

By: _____
Henry GP, L.L.C.,
a Texas limited liability company,
its general partner

By: _____
Kenneth D. Mabry, Manager

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Kenneth D. Mabry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2015.

Notary Public in and for the State of Texas

UBP VENTURES, LTD.,
a Texas limited partnership

By: _____
Trammell Crow Company No. 33, Ltd.,
a Texas limited partnership,
its general partner

By: _____
Henry GP, L.L.C.,
a Texas limited liability company,
its general partner

By: _____
Kenneth D. Mabry, Manager

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Kenneth D. Mabry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2015.

Notary Public in and for the State of Texas

FINAL PLAT
LOTS 1 AND 10X, BLOCK A
NORTHEAST CORNER PLANO PARKWAY
AND WINDHAVEN PARKWAY

1.2809 acres

David Andrews Survey, Abstract No. 18
City of The Colony, Denton County, Texas

CITY PROJECT NUMBER
FP15-0014

Owner/ Applicant:



Surveyor:



Engineer:

CEI Engineering Associates, Inc.
3030 LBJ Freeway, Suite 100
Dallas, Texas 75234
(972) 488-3737
Fax: (972) 488-6732
Contact: Kofi Addo
kaddo@ceieng.com
Firm Registration #F-_____

Scale 1"=40'

Project No. BC14079/B15X503

July 29, 2015

Sheet 1 of 1

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: August 11, 2015

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *RP15-0006 Hard Eight BBQ Replat*

Discuss and consider approval of a replat for Lots 1R and 3, Block B, Grandscape Addition, Phase II, being a replat of Lot 1, Block B Grandscape Addition, 3.692 acres of land recorded in County Clerk's Inst. No. 2015-240, official public records of Denton County an addition to the City of The Colony, Denton County, Texas, located near the southwest corner of Plano Parkway and SH 121, in Planned Development 25 (PD-25) zoning district.

APPLICANT

| | | |
|--------------------|------------------------|------------------|
| Owner/Developer: | LMG Ventures LLC. | Omaha, Nebraska |
| Engineer/Surveyor: | Graham Associates Inc. | Arlington, Texas |

EXISTING CONDITION OF PROPERTY

The subject property is currently undeveloped. Hard Eight BBQ restaurant is proposed on Lot 1R

PROPOSED DEVELOPMENT

Existing Lot 1 of Grandscape Addition is being divided into two lots, Lot 1R and Lot 3, 3.386 acres and 0.306 acres respectively.

ADJACENT ZONING

North - SH 121
South - City of Lewisville
East- Planned Development District (PD-25)
West- City of Lewisville

PLAT DETAILS

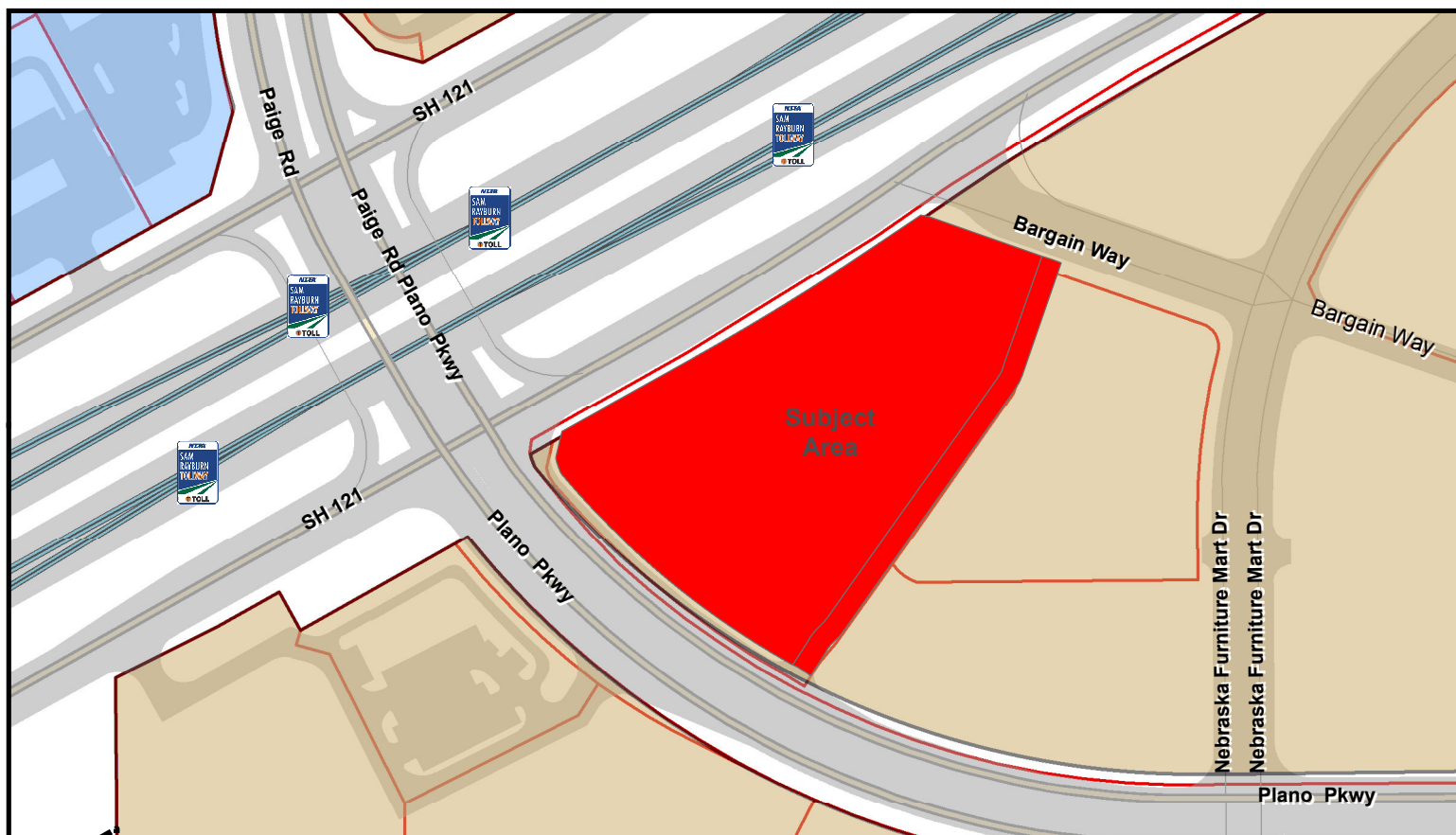
The subject property is located near the southwest corner of Plano Parkway and SH 121 and is zoned Planned Development 25 (PD-25). A 3.692 acre lot is being subdivided into 2 lots. The Replat meets, Appendix B, Subdivision Ordinance, of The Colony Code of Ordinances, PD 25 Ordinance and other applicable ordinance requirements.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the Replat.

ATTACHMENTS

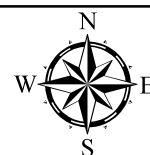
1. Location Map
2. Proposed Replat



Project No. RP15-0006 - Project Name: Hard Eight BBQ Replat

| | | | | |
|-----------------------|--------------------------|------------------|----------------------|------------------------|
| Hard Eight BBQ Replat | Business Park/Industrial | Heavy Commercial | Mobile Home | Planned Development |
| Agricultural | Duplex Dwelling | Industrial | Neighborhood Service | Shopping Center |
| Business Park | General Retail | Light Commercial | Office District 1 | Single Family Dwelling |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.



FILE NAME: J:\COLONY\LMG\PLATS\WARD 8\WARD 8 - REPLAT REVIZING

- * GENERAL NOTES ***
- ALL PROPERTY CORNERS SHALL BE MONUMENTED WITH A 1/2 INCH IRON ROD SET WITH A CAP STAMPED "GAI" UNLESS OTHERWISE SHOWN HEREON.
 - THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM (NAD83) (2011), NORTH CENTRAL ZONE (4202), COMBINED SCALE FACTOR = 0.999847330
 - BUILDING SETBACK LINES TO BE ESTABLISHED PER REQUIREMENTS OF CITY OF THE COLONY PD-25 REGULATIONS, AS AMENDED.
 - ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE HOMELAND SECURITY AGENCY, THE SUBJECT PROPERTY APPEARS TO BE LOCATED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOOD), AS SHOWN ON MAP. NO. 48121C0580 G, MAP REVISED: APRIL 18, 2009 FOR DENTON COUNTY AND INCORPORATED AREAS.
 - SELLING OFF A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION, WITHOUT A REPLAT BEING APPROVED BY THE CITY OF THE COLONY, IS IN VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 - SIDEWALKS ALONG STREET FRONTAGES SHALL BE BUILT WITH INDIVIDUAL LOT DEVELOPMENT.
 - THE CITY OF THE COLONY IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF ANY DETENTION POND , OPEN CHANNEL DRAINAGE-WAY INCLUDING CONCRETE PILOT CHANNELS, ASSOCIATED INLET AND OUTLET STRUCTURES AND ASSOCIATED DRAINAGE EASEMENTS, HEREINAFTER REFERRED TO AS "IMPROVEMENT," TO BE DEVELOPED AND CONSTRUCTED BY OWNER OR HIS SUCCESSORS. OWNER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF THE COLONY, ITS OFFICERS, EMPLOYEES, AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY, OR EXPENSE AND ATTORNEYS' FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, CONDITION, OR USE OF THE "IMPROVEMENT," INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. OWNER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE "IMPROVEMENT." ALL OF THE ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND. IT IS EXPRESSLY CONTEMPLATED THAT THE OWNER SHALL IMPOSE THESE COVENANTS UPON LOTS 1 AND 2 ABUTTING, ADJACENT, OR SERVED BY THE "IMPROVEMENT" THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID "IMPROVEMENT."
 - EASEMENTS SHOWN HEREON ARE DEDICATED PER THE PLAT OF GRANDSCAPE ADDITION, PHASE II AS RECORDED IN DENTON COUNTY CLERK'S INSTRUMENT No. 2015-240 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS UNLESS OTHERWISE NOTED.

OWNER'S DEDICATION

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, LMG VENTURES, LLC, through the undersigned authority, do hereby adopt this plat designating the herein above described property as the LOTS 1R and 3, BLOCK B, GRANDSCAPE ADDITION, PHASE II, an addition to the City of The Colony, Denton County, Texas, and do hereby dedicate in fee simple to the public use forever the streets and alleys shown hereon; and does hereby dedicate the easements on the plat for mutual use and accommodation of all public utilities desiring to use, or using the same and are free of any encumbrances, except as shown herein. LMG VENTURES, LLC, do hereby bind itself, its successors and assigns to forever warrant and defend all and singular the above described streets, alleys, easements and rights unto the public against every person whomsoever lawfully claiming or to claim the same or any part thereof. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over or across the easements on said plat. Any public utility shall have the right to remove and keep removed all or any part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity of procuring the permission of anyone.

WITNESS MY HAND THIS _____ day of _____, 2015

LMG VENTURES, LLC

Ryan Blumkin, Vice President

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of _____, on this day personally appeared Ryan Blumkin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in and for the purpose and consideration therein expressed, and in the capacity therein stated.

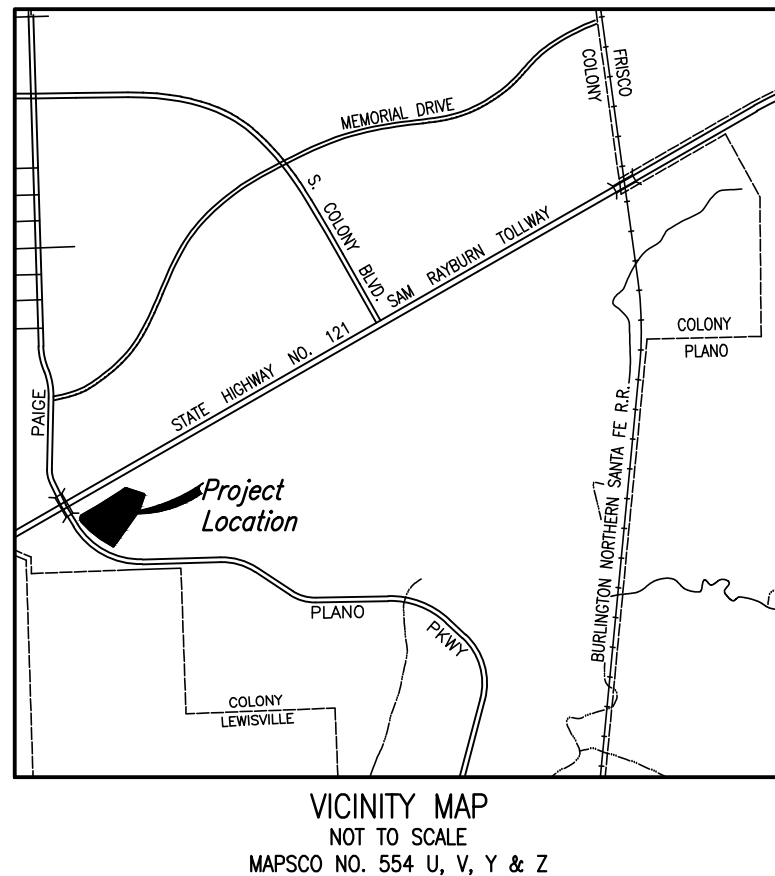
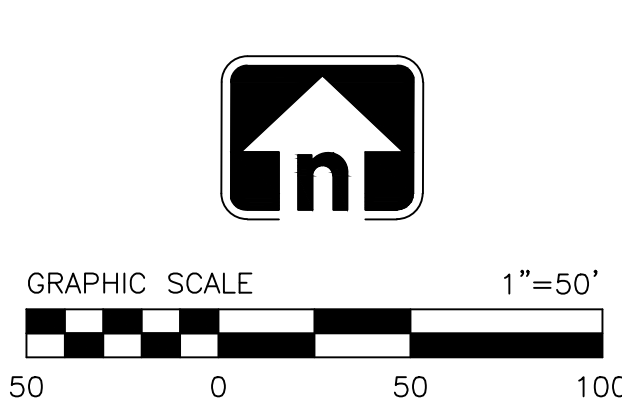
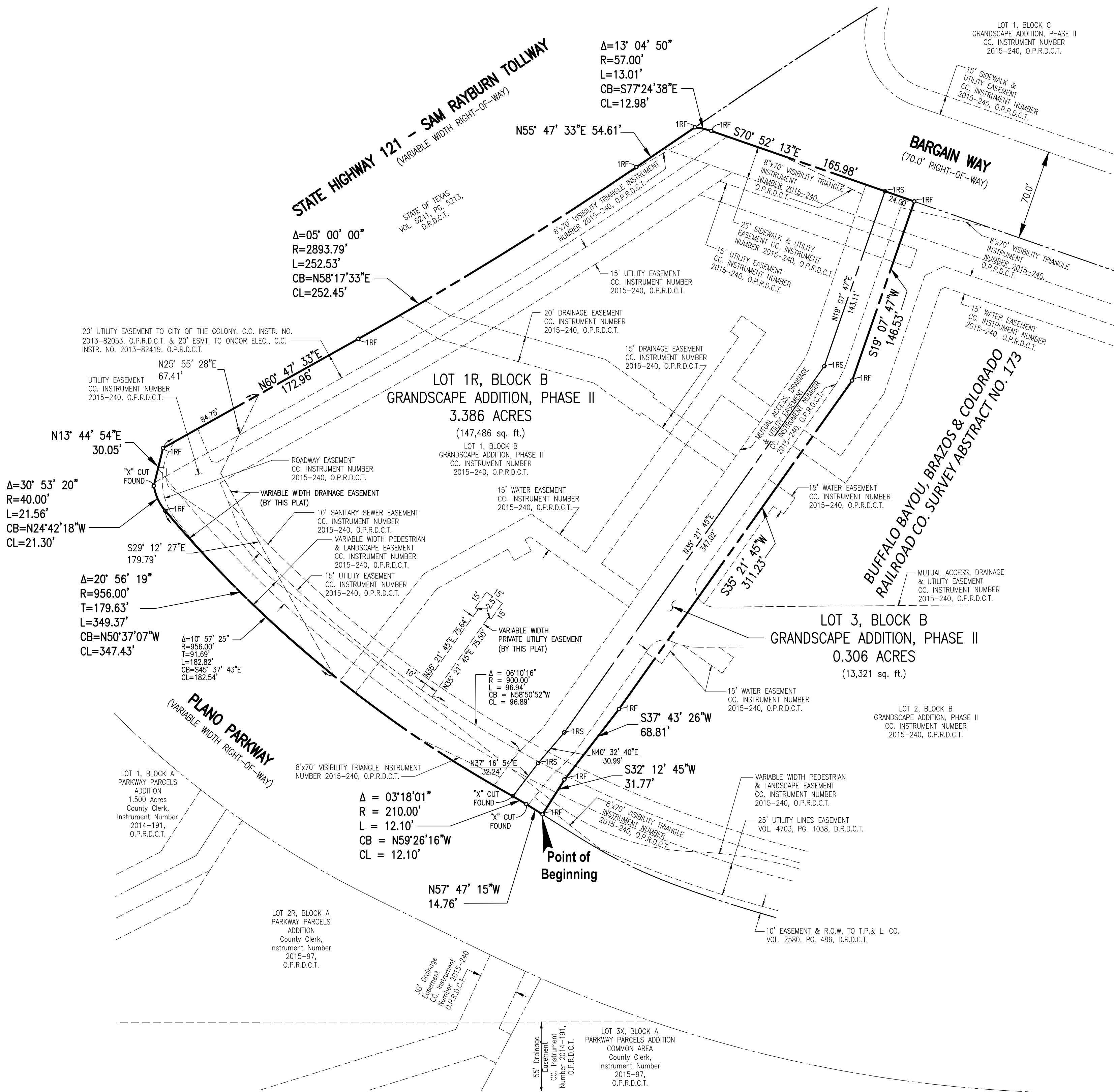
GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015

Notary Public in and for the State of _____

My commission expires _____

* LEGEND *

| | | | | |
|----------|---|--------------|---|---|
| CIRS | 1/2 INCH IRON ROD SET WITH CAP STAMPED "GAI" | PG. | CAB. | CABINET |
| CIRF | 5/8 INCH IRON ROD FOUND WITH CAP STAMPED UNLESS OTHERWISE SHOWN | C.C. | COUNTY CLERK | COUNTY CLERK |
| IRF | IRON ROD FOUND WITH "GAI" CAP | INSTR. | DEED RECORDS, DENTON COUNTY, TEXAS | DEED RECORDS, DENTON COUNTY, TEXAS |
| IRS | IRON ROD SET WITH "GAI" CAP | M.R.D.C.T. | MAP RECORDS, DENTON COUNTY, TEXAS | MAP RECORDS, DENTON COUNTY, TEXAS |
| BMON | BRASS MONUMENT FOUND | O.P.R.D.C.T. | OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS | OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS |
| P.F.C. | POINT FOR CORNER | R.O.W. | RIGHT-OF-WAY | RIGHT-OF-WAY |
| (CM) | CONTROLLING MONUMENT | FOUND | VOLUME | ARC LENGTH |
| (XXX.XX) | RECORD BEARING/DISTANCE | | | |
| FND. | FOUND | | | |
| VOL. | VOLUME | | | |



CITY SIGNATURE BLOCK

On the ____ day of _____, 2015, this plat was duly approved by the Planning and Zoning Commission of the City of The Colony, Texas.

Signed: _____
Chairperson of the Planning and Zoning Commission

Attest: _____
City Secretary

OWNER:

LMG VENTURES, LLC
700 S. 72ND STREET
OMAHA, NEBRASKA 68114

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS, LMG VENTURES, LLC is the owner of a 3.692 acre tract of land situated in the Buffalo Bayou, Brazos & Colorado Railroad Company Survey, Abstract No. 173, City of The Colony, Denton County, Texas and being all of Lot 1, Block B, GrandScape Addition, Phase II, as recorded in County Clerk's Instrument No. 2015-240 of the Official Public Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found with "GAI" cap at the of said southeast corner of said Lot 1, Block B and the southwest corner of Lot 2, Block B, GrandScape Addition, Phase II, also being the north right-of-way line of Plano Parkway (variable width right-of-way);

THENCE North 57 degrees 47 minutes 15 seconds West, along the north right-of-way line of said Plano Parkway and the south line of said Lot 1, a distance of 14.76 feet to an "X" cut found for the beginning of a tangent curve to the left having a radius of 210.00 feet, a central angle of 03 degrees 18 minutes 01 seconds, a chord bearing of North 59 degrees 26 minutes 16 seconds West and a chord length of 12.10 feet;

THENCE continuing along the north right-of-way line of said Plano Parkway and south line of said Lot 1, with said tangent curve to the left for an arc length of 12.10 feet to "X" cut found for the beginning of a reverse curve to the right having a radius of 956.00 feet, a central angle of 20 degrees 56 minutes 19 seconds, a chord bearing of North 50 degrees 37 minutes 07 seconds West and a chord length of 347.43 feet;

THENCE continuing along the north right-of-way line of said Plano Parkway and south line of said Lot 1 with said compound curve to the right for an arc length of 349.37 feet to a iron rod found with "GAI" cap for the beginning of a compound curve to the right having a radius of 40.00 feet, a central angle of 30 degrees 53 minutes 20 seconds, a chord bearing of North 24 degrees 42 minutes 18 seconds West and a chord length of 21.30 feet;

THENCE along said compound curve to the right for an arc length of 21.56 feet to a "X" cut found for the beginning of a corner clip at the intersection of the north right-of-way line of said Plano Parkway and the south right-of-way line of State Highway 121 (Sam Rayburn Tollway)(a variable width right-of-way) and also being the southwest corner of said Lot 1;

THENCE North 13 degrees 44 minutes 54 seconds East, along said corner clip a distance of 30.05 feet to a point in the southeasterly right-of-way line of said State Highway No. 121 also being the northwesterly line of said Lot 1, being a common line;

THENCE North 60 degrees 47 minutes 33 seconds East, along said common line, a distance of 172.96 feet to 1/2 inch iron rod found with "GAI" cap the beginning of a tangent curve to the left having a radius of 2893.79 feet, a central angle of 05 degrees 00 minutes 00 seconds, a chord bearing of North 58 degrees 17 minutes 33 seconds East and a chord length of 252.45 feet;

THENCE continuing along said common line, with said tangent curve to the left for an arc length of 252.53 feet to a 1/2 iron rod found with "GAI" cap;

THENCE North 55 degrees 47 minutes 33 seconds East, continuing with the southeasterly right-of-way line of said State Highway 121 and the northwesterly line of said Lot 1, a distance of 54.61 feet to the point of intersection of the southeasterly right-of-way line of said State Highway No. 121 and the south right-of-way line of Bargain Way (70.0' right-of-way) and being the beginning of a non-tangent curve to the right having a radius of 57.00 feet, a central angle of 13 degrees 04 minutes 50 seconds, a chord bearing of South 77 degrees 24 minutes 38 seconds East and a chord length of 12.98 feet;

THENCE with the south right-of-way line of said Bargain Way, and the north line of said Lot 1, along said non-tangent curve to the right for an arc length of 13.01 feet to a 1/2 inch iron rod found with "GAI" cap;

THENCE South 70 degrees 52 minutes 13 seconds East, continuing along said south right-of-way line of said Bargain Way and the north line of said Lot 1, a distance of 165.98 feet to a 1/2 inch iron rod found with "GAI" cap;

THENCE South 19 degrees 07 minutes 47 seconds West, departing the south right-of-way line of said Bargain Way and the north line of said Lot 1, following along the easterly line of said Lot 1 and the westerly line of said Lot 2, a distance of 146.53 feet to a 1/2 inch iron rod found with "GAI" cap;

THENCE South 35 degrees 21 minutes 45 seconds West, continuing with the easterly line of said Lot 1 and the westerly line of said Lot 2, a distance of 311.23 feet to a 1/2 inch iron rod found with "GAI" cap;

THENCE South 37 degrees 43 minutes 26 seconds West, continuing with the easterly line of said Lot 1 and the westerly line of said Lot 2, a distance of 68.81 feet to a 1/2 inch iron rod found with "GAI" cap;

THENCE South 32 degrees 12 minutes 45 seconds West, continuing with easterly line of said Lot 1 and the westerly line of said Lot 2, a distance of 31.77 feet to the POINT OF BEGINNING, containing 3.692 acres or 160,806 square feet of land, more or less.

SURVEYOR'S CERTIFICATION

I, Mike Peterson, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my supervision and in accordance with the Rules and Regulations of the City of The Colony, Texas.

Mike Peterson, R.P.L.S.
Texas Registration No. 5999



STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mike Peterson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in and for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015

Notary Public in and for the State of Texas

My commission expires _____

REPLAT

**LOTS 1R and 3, BLOCK B,
GRANDSCAPE ADDITION, PHASE II**
BEING A REPLAT OF LOT 1, BLOCK B, GRANDSCAPE ADDITION
CITY OF THE COLONY, DENTON COUNTY, TEXAS
AS RECORDED IN COUNTY CLERK'S INST. No. 2015-240
OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS

AUGUST 2015

CITY PROJECT NO. RP15-0006



Graham Associates, Inc.
CONSULTING ENGINEERS & PLANNERS
800 SIX FLAGS DRIVE, SUITE 500
ARLINGTON, TEXAS 76011 (817) 640-8835
TSP# FIRM F-119178/PLS FIRM 01038-02

SHEET 1 OF 1

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: August 11, 2015

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT *PDA15-0002 PD-24 Dog Park Text Amendment*

Conduct a public hearing, discuss and consider making a recommendation to City Council on a request for Planned Development 24 (PD-24) amendment to allow dog park as a use located at 1 Harris Plaza.

OWNER/ENGINEER

| | | |
|--------------------|------------------------------|-------------------|
| Owner/Developer: | City of The Colony | The Colony, Texas |
| Engineer/Surveyor: | Dunkin, Sims, Stoffells Inc. | Dallas, Texas |

EXISTING CONDITION OF PROPERTY

Planned Development 24 aka One Harris Plaza is developed with the City of Colony Public Works facility and Fleet Maintenance facility. If approved, the proposed amendment will apply to all the land area within PD-24.

PROPOSED REQUEST

The applicant is proposing a dog park at the southernmost portion of One Harris Plaza. There will be separate play areas for large (2.55-acres) and small (0.85-acre) dogs. The whole park will be surrounded by chain link fence. The site plan for this project is currently in progress at the Parks and Recreation Department.

NOTIFICATION

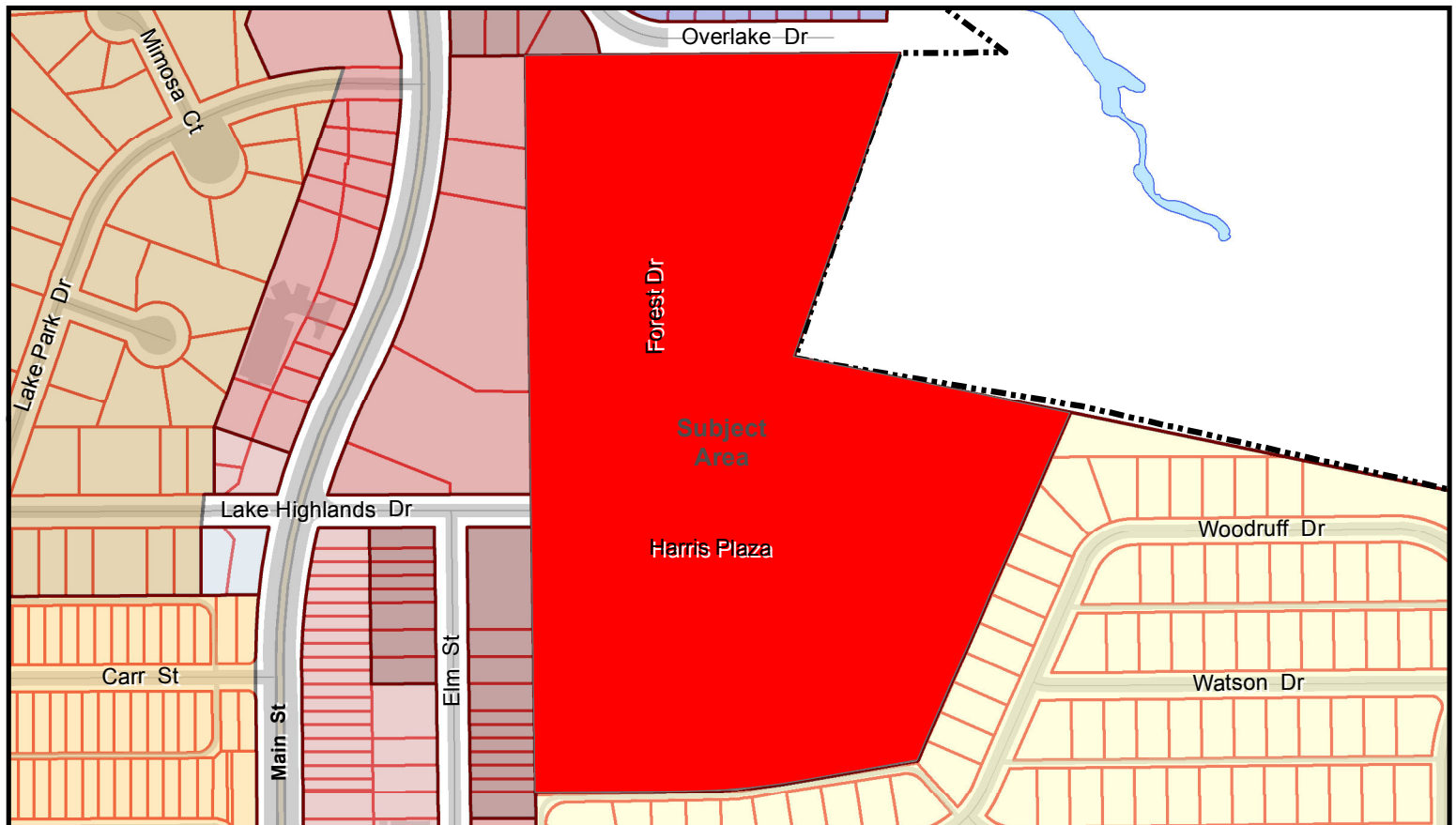
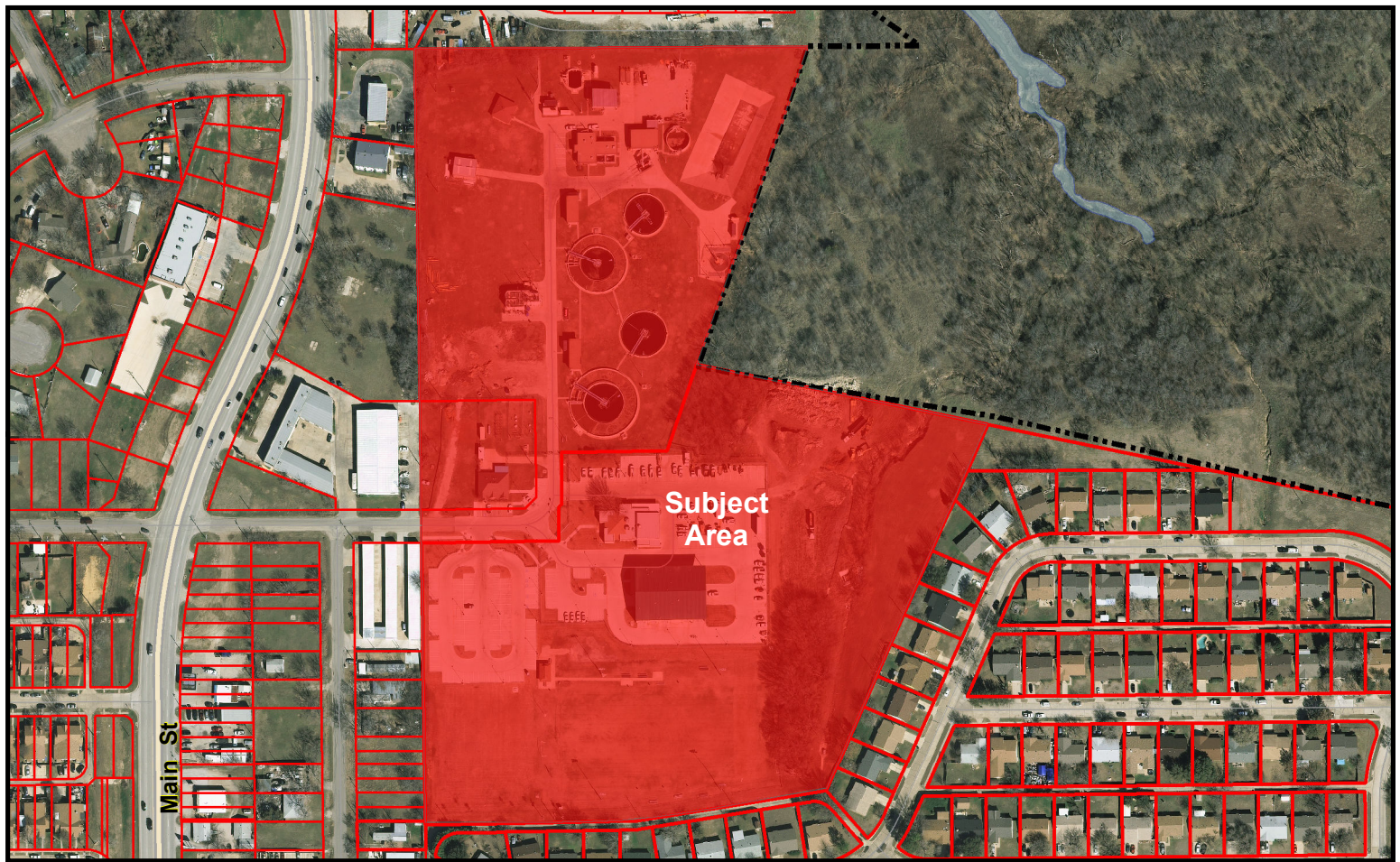
The Zoning Ordinance requires newspaper notification a minimum of ten (10) days prior to the Planning and Zoning Commission meeting for text amendments. Notice for this Public Hearing was published in *The NeighborsGo* on July 31, 2015. In addition, the Zoning Ordinance also requires notification of property owners located within 200 feet of the subject property a minimum of ten (10) days prior to the public hearing. Postcards were mailed on July 27, 2015 to three (3) property owners. Two information requests has been received on this project.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the proposed amendment.

ATTACHMENTS

1. Location Map
2. PD-24 Ordinance

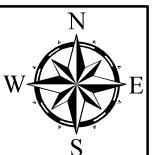


Project No. PDA15-0002 - Project Name: PD 24 Amendment Pawsome Dog Park



| | | | | | |
|--------------------------|------------------|------------------|----------------------|------------------------|-------|
| Agricultural | Duplex Dwelling | Industrial | Neighborhood Service | Shopping Center | PD 24 |
| Business Park | General Retail | Light Commercial | Office District 1 | Single Family Dwelling | |
| Business Park/Industrial | Heavy Commercial | Mobile Home | Planned Development | | |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.



CITY OF THE COLONY, TEXAS

ORDINANCE NO. 09-1818

AN ORDINANCE OF THE CITY OF THE COLONY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF THE COLONY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM SINGLE-FAMILY ("SF") TO PLANNED DEVELOPMENT-24 ("PD-24") TO ALLOW FOR DEVELOPMENT AND OPERATION OF A CITY FACILITY ON APPROXIMATELY 22.75 ACRES OF PROPERTY LOCATED EAST OF THE EAST LAKE HIGHLANDS DRIVE AND FOREST DRIVE INTERSECTION, COMMONLY KNOWN AS 1 HARRIS PLAZA, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AS EXHIBIT "B"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of The Colony, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of The Colony, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z08-0008 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of The Colony, Texas, duly passed by the governing body of the City of The Colony, Texas, as heretofore amended, be and the same is hereby amended to grant a change in zoning from Single-Family ("SF") to Planned Development-24 ("PD-24") to allow the development and operation of a City facility on approximately 22.75 acres of property located east of the East Lake Highlands Drive and Forest Drive intersection, commonly known as 1 Harris Plaza, and being more particularly described in Exhibit A, attached hereto and incorporated herein for all purposes.

SECTION 2. That the property shall be developed and used only in accordance with the City of The Colony Zoning Ordinance, Subdivision Ordinance and building codes, except as set forth in the following Development Standards:

- A. Prior to the issuance of any building permits, a detailed site plan, landscape plan, and building elevations shall be submitted to the Planning and Zoning Commission and the City Council for consideration and approval.

SECTION 3. That the Concept Plan, which is attached hereto as Exhibit B and made a part hereof for all purposes, is hereby approved.

SECTION 4. That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of The Colony, as heretofore amended and as amended herein.

SECTION 5. That all provisions of the Ordinances of the City of The Colony, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of The Colony, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.


SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of The Colony, Texas, this the 20th day of July, 2009.

APPROVED:


JOE MCCOURRY, MAYOR

ATTEST:


CHRISTIE WILSON, CITY SECRETARY

APPROVED AS TO FORM:

 FOR
ROBERT E. HAGER, CITY ATTORNEY
(REH/cdb 0 7/17/09)

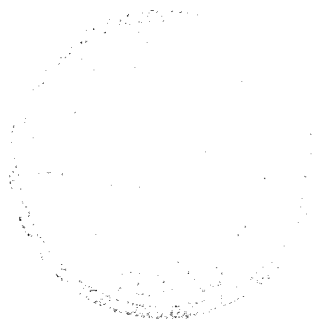


Exhibit A

Legal Description

Being a tract of land situated in the R. P. Hardin Survey, Abstract Number 611, Denton County, Texas, and being all of that tract of land called 12.2219 acres described in Deed to The Colony Municipal Utility District No. 1 of Denton County, Texas, as recorded in Volume 1043, Page 287 in the Deed Records of Denton County, Texas (D.R.D.C.T.), all of that tract of land called 2.00 acres described in Special Warranty Deed to the Colony Municipal Utility District No. 1, as recorded in Volume 934, Page 330 D.R.D.C.T. and that called 8.196 acres described in Special Warranty Deed to the Colony Municipal Utility District No. 1, as recorded in Volume 934, Page 342 D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod for the common northwest corner of said called 8.196 acre tract and an ell corner of the Garza-Little Elm Lake Estates, an addition to the City of The Colony, as recorded in Cabinet A, Page 80 of the Plat Records of Denton County, Texas (P.R.D.C.T.);

THENCE North 89 degrees 05 minutes 48 seconds East, along a south line of said Garza-Little Elm Lake Estates and the north line of said called 8.196 acre tract, a distance of 695.05 feet to a point for corner;

THENCE South 18 degrees 53 minutes 19 seconds West, departing said south line and along the east line of said called 8.196 acre tract, a distance of 608.02 feet to a found brass monument in concrete stamped "U.S. ARMY CORP OF ENGINEERS 611-5 1981" for the common southeast corner of said called 8.196 acre tract and the northeast corner of said called 12.2219 acre tract;

THENCE South 79 degrees 18 minutes 08 seconds East, departing said east line and along the north line of said 12.2219 acre tract, a distance of 519.29 feet to a point for corner;

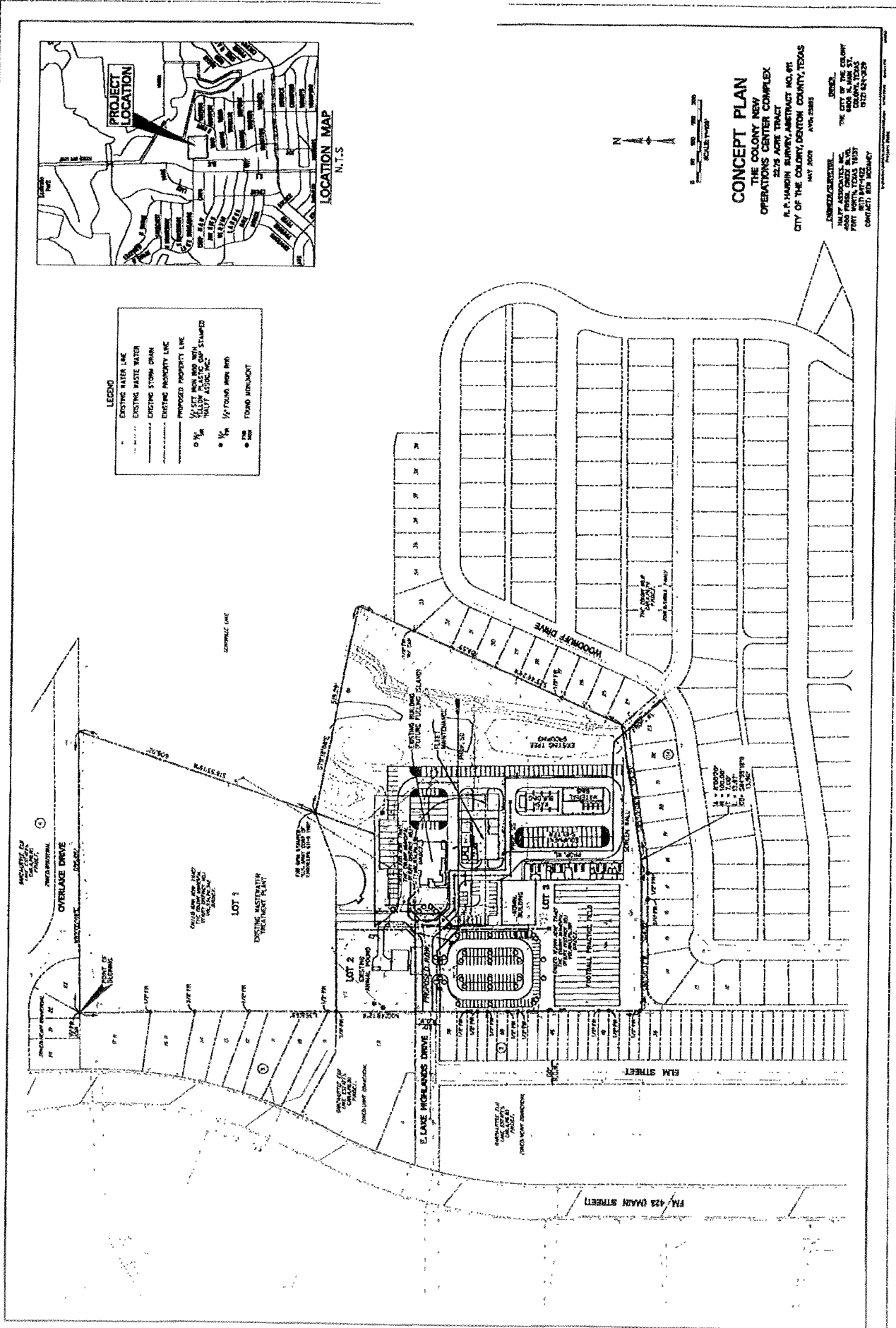
THENCE South 23 degrees 44 minutes 24 seconds West, departing said north line, passing the northeast corner of The Colony No. 17, as recorded in Cabinet K, Page 79 P.R.D.C.T. and continuing along the common line between said called 12.2219 acre tract and said Colony No. 17 for a total distance of 708.59 feet to a point for corner;

THENCE South 80 degrees 59 minutes 08 seconds West, continuing along said common line, a distance of 329.23 feet to the point of curvature of a circular curve to the right having a radius of 100.00 feet and whose chord bears South 84 degrees 59 minutes 18 seconds West, a distance of 13.96 feet;

THENCE Southwesterly, continuing along said common line and along the arc of said circular curve to the right through a central angle of 08 degrees 00 minutes 20 seconds for an arc length of 13.97 feet to a point for corner;

THENCE South 88 degrees 59 minutes 37 seconds West, continuing along said common line, a distance of 364.92 feet to a point for corner at the intersection of said common line with an easterly line of said Garza-Little Elm Lake Estates;

THENCE North 00 degrees 48 minutes 12 seconds West, departing said common line and along an east line of said Garza-Little Elm Lake Estates, passing the common northwest corner of said called 12.2219 acre tract and the southwest corner of that called 8.196 acre tract at a distance of 747.69 feet and continuing for a total distance of 1,368.69 feet to the POINT OF BEGINNING AND CONTAINING 991,094 square feet or 22.75 acres of land, more or less.



PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: August 11, 2015

DEPARTMENT: Engineering/Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT *SP15-0017 Grandscape Retail Shops Development Plan*

Discuss and consider making a recommendation to City Council on a request for Development Plan for Grandscape Retail Shops, two retail/restaurant buildings, located at the northwest corner of Bargain Way and Plano Parkway in the Planned Development 25 (PD-25) zoning district.

OWNER/ENGINEER

| | | |
|--------------------|-------------------|------------------|
| Owner/Developer: | LMG Ventures | Omaha, Nebraska |
| Engineer/Surveyor: | Graham Associates | Arlington, Texas |

EXISTING CONDITION OF PROPERTY

The property is currently undeveloped.

PROPOSED DEVELOPMENT

The applicant is proposing to build two retail/restaurant buildings of 8,414 SF and 8,383 SF on approximately 2.931-acres, located at the northwest corner of Bargain Way and Plano Parkway.

ADJACENT ZONING AND LAND USE

North - Planned Development 25 (PD-25), vacant land
South - Plano Parkway, City of Lewisville
East - Planned Development 25 (PD-25), proposed hotel
West - Planned Development 25 (PD-25), vacant land

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

The Development Review Committee (DRC) finds the Development Plan meets the requirements of the Appendix A, Zoning Ordinance, Planned Development 25 and other applicable ordinances of the Code of Ordinances as outlined in the Staff Report.

ATTACHMENTS

1. Staff Analysis
2. Location Map
3. Proposed Site Plan
4. Proposed Landscape Plan
5. Building Elevation

ATTACHMENT 1

Staff Analysis

Summary of Request

The applicant is proposing to build two retail/restaurant buildings of 8,414 SF and 8,383 SF on approximately 2.931 acres, located at the northwest corner of Bargain Way and Plano Parkway.

Existing Condition of Property

The subject property is undeveloped.

Platting Status

The Final Plat for the property was approved by Planning and Zoning Commission on January 13, 2015.

Adjacent Zoning/Land Use

North - Planned Development 25 (PD-25), vacant land

South - Plano Parkway, City of Lewisville

East - Planned Development 25 (PD-25), proposed hotel

West - Planned Development 25 (PD-25), proposed Panera Bread restaurant, vacant land

Land Use Analysis

The proposed restaurant/retail land uses are allowed within the PD-25 zoning district.

Infrastructure Improvements

No specific public infrastructure improvements are proposed at this time.

Exterior Materials

PD-25 does not have specific exterior material requirements. The proposed elevation has utilized stone as the primary building material with redwood siding over entryway.

Circulation and Parking

The proposed facility will have access off of Bargain Way and Nebraska Furniture Mart Drive through a connecting roadway.

The parking ratio for restaurants within PD-25 is one (1) space for every 200 square feet of gross floor area (GFA). The parking provided meets the specific requirements PD-25.

| Parking Standard | Parking Required | Parking Provided |
|---|----------------------|-----------------------|
| Parking calculation: one (2) spaces per 200 sf 8,414 sf and 8,383 sf | 84 spaces (4 ADA) | 144 spaces (5 ADA) |

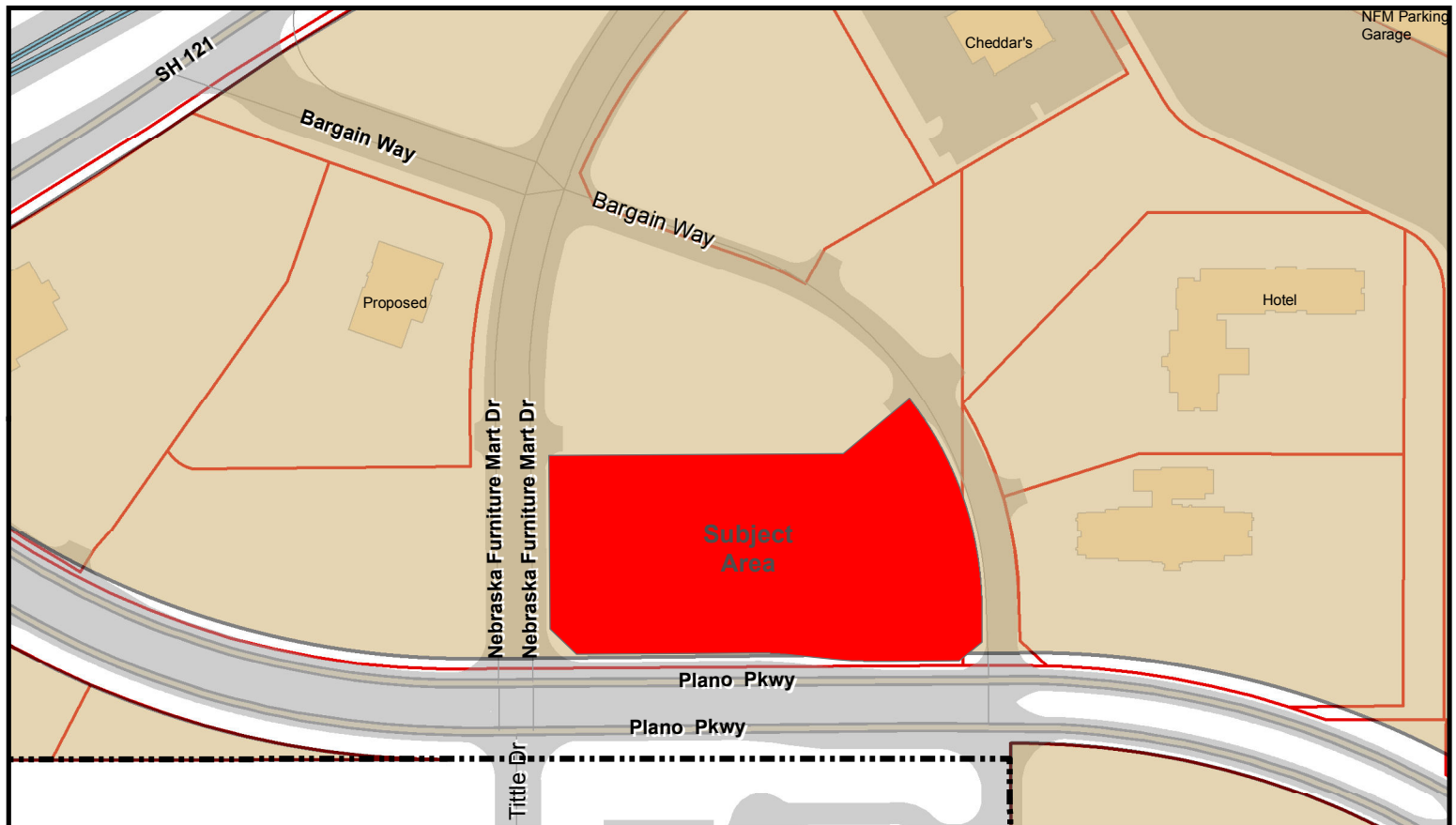
Landscaping and Irrigation

The applicant is proposing landscaping made up of a combination of Shumard Oak, Lacebark Elm and Dwarf Burford Holly to meet the requirements of requirements of PD-25 and Zoning Ordinance. More than 20% of the street yard has been proposed for landscaping. One shade tree

per 40 linear feet for street frontage has been proposed. A berm of 24" average height has been proposed along Plano Parkway.

Development Review Committee Review

The Development Review Committee finds that the Development Plan meets all applicable requirements of the Zoning Ordinance and PD-25, therefore recommends approval.



Project No. SP15-0017 - Project Name: Grandscape Retail Shops



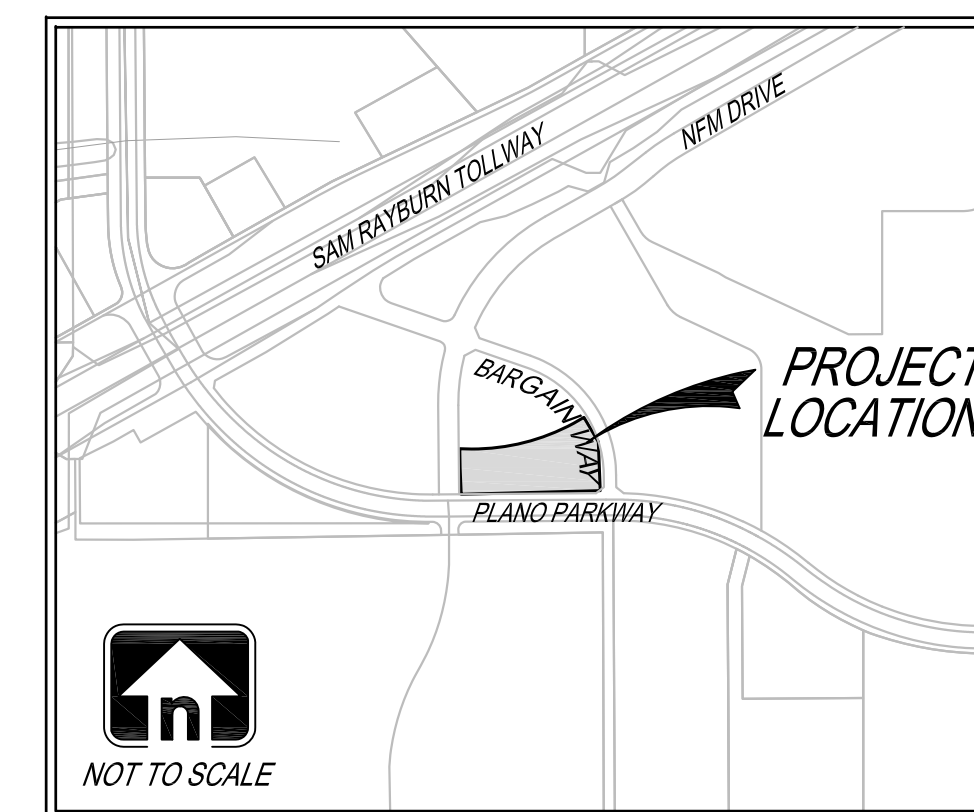
| | | | | |
|---|--|--|--|--|
| ■ Grandscape Retail Shops | ■ Business Park/Industrial | ■ Heavy Commercial | ■ Mobile Home | ■ Planned Development |
| ■ Agricultural | ■ Duplex Dwelling | ■ Industrial | ■ Neighborhood Service | ■ Shopping Center |
| ■ Business Park | ■ General Retail | ■ Light Commercial | ■ Office District 1 | ■ Single Family Dwelling |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.

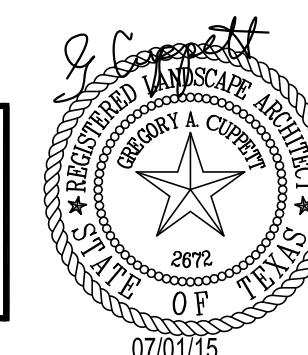




THE COLONY LOCAL
DEVELOPMENT CORP.
6800 MAIN STREET
THE COLONY, TEXAS 75056
CONTACT: JOE MCCOURRY



 **FAIN • CUPPETT**
LANDSCAPE ARCHITECTS, LLC
6233 Mid Cities Blvd. Suite B
North Richland Hills, TX 76182-4761 817-479-0730
PARKS AND OPEN SPACE PLANNING • LANDSCAPE ARCHITECTURE • IRRIGATION DESIGN



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NOTE:
NO LANDSCAPE PLANTINGS
WITHIN 24" OF PARKING
LOT CURBS.

TEMPORARY IRRIGATION WILL BE REQUIRED TO ESTABLISH
TURF IN ALL DISTURBED AREAS WITHOUT A PERMANENT
IRRIGATION SYSTEM. SOD TURF IN
ALL DISTURBED AREAS AS IDENTIFIED ON GRADING AND
EROSION CONTROL PLANS.

APPROVED BY THE CITY COUNCIL ON THE _____ DAY OF _____
_____ 20__.

DEVELOPMENT SERVICES DIRECTOR

CAUTION!!!
UNDERGROUND UTILITIES ARE LOCATED IN
THIS AREA. 48 HOURS PRIOR TO ANY
CONSTRUCTION ACTIVITIES, CONTACT LINE
LOCATES FOR FRANCHISE UTILITY INFO.
CALL BEFORE YOU DIG:
TEXAS EXCAVATION SAFETY SYSTEM (TESS)
1-800-344-8377
TEXAS ONE CALL SYSTEMS
1-800-245-4545
LONE STAR NOTIFICATION CENTER
1-800-669-8344 EXT. 5



BEFORE
YOU DIG...



GRAPHIC SCALE 1"=30'

A horizontal graphic scale bar with alternating black and white segments. Below the bar, the numbers 30, 0, 30, and 60 are marked, indicating distances in feet. The total length of the bar represents 60 feet.



THE CITY OF THE COLONY
DENTON COUNTY, TEXAS

LANDSCAPE PLAN

GRANDSCAPE RETAILS SHOPS
NEC NFM DRIVE @ PLANO PARKWAY
LOT 1R, BLOCK J
GRANDSCAPE ADDITION, PHASE II

DRAWN BY: G.A.C.

| | |
|-------------|--|
| PROJECT NO. | |
|-------------|--|

DATE: 6/24/2014

SHEET 1 OF 5

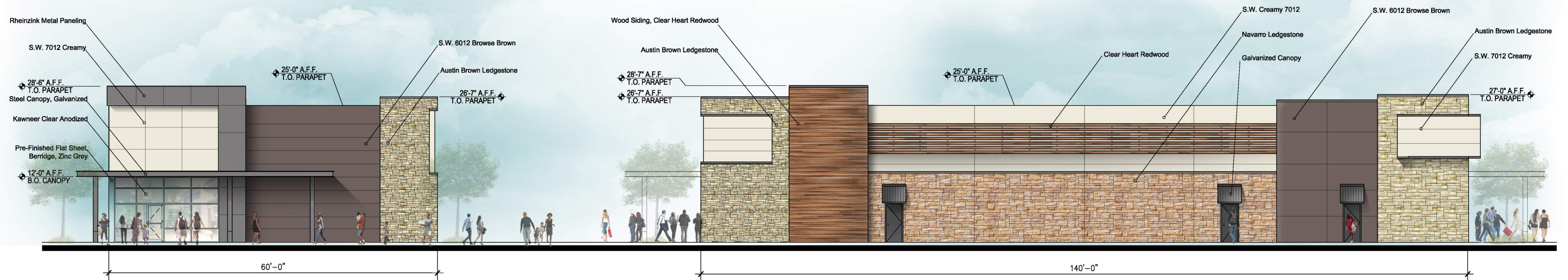
SHEET

L-1



2 NORTH ELEVATION
1/8" = 1'-0"

1 EAST ELEVATION
1/8" = 1'-0"



3 WEST ELEVATION
1/8" = 1'-0"

4 SOUTH ELEVATION
1/8" = 1'-0"

